



DEPARTMENT OF THE NAVY
NAVAL AIR WARFARE CENTER TRAINING SYSTEMS DIVISION
12350 RESEARCH PARKWAY
ORLANDO, FLORIDA 32826-3275

IN REPLY REFER TO:

5720
Ser 11.0/2014-009526
September 30, 2014

Ms. Aji Abiedu
Hinshaw & Culbertson LLP
11601 Wilshire Boulevard
Suite 800
Los Angeles, CA 90025

Dear Ms. Abiedu:

SUBJECT: FREEDOM OF INFORMATION ACT REQUEST FOR CONTRACT
M67854-08-D-8029

On September 10, 2014, this office received your September 9, 2014 Freedom of Information Act (FOIA) request seeking copies of Contract M67854-08-D-8029. Department of the Navy's electronic database FOIAOnline assigned your request case number DON-NAVY-2014-009526 for purposes of tracking and retrieval.

Pursuant to procedures established in Secretary of the Navy Instruction (SECNAVINST) 5720.42F, our search for relevant documents encompassed only those records existent on September 10, 2014, the date we received your request and commenced search. Documents generated after that date were not considered. According to our electronic Document Access database, the Contracts Department, Program Manager Marine Corps Training Systems, actually issued 10 modifications to the original award and 8 delivery orders with 17 respective modifications to procure services and supplies from Tatitlek Support Services, Inc., the contractor.

We determined Sections A through J and Attachments (1) through (5) from the basic award, Modifications P00001 through P00005, and P00007 through P00011, as well as Delivery Orders 0001 through 0008 with respective modifications responsive to your request.

Executive Order No. 12,600 and SECNAVINST 5720.42F mandated this office solicit contractor, Contracts Department, and program management's opinions of disclosure before the contract, modifications, and delivery orders were distributed to the public. We notified Tatitlek Support Services, Inc. of prior requirements for the basic award, modifications, and orders. The contractor filed objections against release of all unit and extended prices, dollar values, and appropriation amounts as well as miscellaneous itemized pricing documents.

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As a commercial requester, your company is responsible for payment of search, review, and duplication fees incurred to process your company's request. To date, we have incurred 2 hours of search at the professional \$44.00 hourly rate (\$88.00) to retrieve complete copies of the contract, modifications, and delivery orders and 3 hours of review at same rate (\$132.00) to examine the documents to determine if any prices or other data warrants excision. We estimate approximately 15 additional hours at the same professional rate (\$660.00) are needed to evaluate the contractor's statements regarding release and redact specific pricing data in all 37 documents. We anticipate reproduction costs to total \$90.00 to compile electronic documents.

SECNAVINST 5720.42F requires naval activities notify FOIA requesters of processing costs in excess of stated limitations and obtain satisfactory assurance of full payment of any estimated fees. If your client accepts charges of \$970.00, please confirm willingness to pay the fees and grant this office 45 additional days to complete the activity's review, inform the contractor of our findings, and afford the contractor opportunity to file a temporary restraining order and reverse FOIA suit.

We shall presume you have withdrawn this request and close our administrative file if we do not receive confirmation and extension by October 15, 2014.

You may pose questions regarding the processing of your requirement to me by telephone at (407)380-4081 between the hours of 0600 and 1530, via telecopier at (407)380-8406, or email your inquiry to Susan.Reyes@Navy.Mil.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan", followed by a long horizontal flourish line extending to the right.

Susan Reyes
FOIA Coordinator
By direction of the
Commanding Officer